

REGISTERED



GOVERNMENT OF THE PUNJAB
SPECIAL EDUCATION DEPARTMENT

ORDER

SO(Estt)20-179/2018. **WHEREAS**, Disciplinary proceedings under the Punjab Employees Efficiency, Discipline & Accountability Act, 2006 ('Act') were initiated against **Ms. Bailla Gul**, Speech Therapist (BS-17), Government Special Education Centre, Khushab ('accused officer') under Section 3 of the Act *ibid* on the following charges of misconduct vide order dated **14.12.2022** by appointing **Mr. Qaiser Abbas Shah**, Principal (BS-19), Govt. Secondary School of Special Education for Hearing Impaired, Jhang as Inquiry Officer to proceed against the accused officer in terms of Section 5 read with Section 9 of the Act *ibid*:

1. *The accused proceeded abroad w.e.f. 07.03.2022 till 14.03.2022 on an unofficial passport without the approval of the Competent Authority and without obtaining NOC and approval/sanction of ex-Pakistan leave from the Competent Authority.*
2. *The accused after expiry of her sanctioned medical leave w.e.f. 30.08.2022 to 13.09.2022 filed another application for extension of medical leave w.e.f. 14.09.2022 to 28.09.2022 but prior to sanctioning of the same by the Competent Authority absented herself from duties w.e.f. 14.09.2022 till date, without the approval of the Competent Authority and proceeded abroad on an unofficial passport without obtaining NOC and approval/sanction of ex-Pakistan leave from the Competent Authority.*

2. **AND WHEREAS**, the Inquiry Officer after conducting the inquiry submitted inquiry report to this department with following recommendations:

*"Since the charges stands proved against Ms. Bailla Gul, Speech Therapist (BS-17), Govt. Special Education Centre, Khushab, hence, she may be awarded Major Penalty of **"Removal from Service"** under Section 4(1)(b)(v) of the PEEDA Act, 2006.*

3. **AND WHEREAS**, upon receipt of inquiry report, Show Cause-cum-Personal Hearing Notice under **Section 13(4)** of the Act *ibid* was issued to the accused officer directing her to submit her additional defence, *if any*, and also to appear on **17.02.2023** for personal hearing. The Departmental Representative was also directed under Section 13(4)(e) of the Act *ibid* to attend the hearing alongwith all record of the case.

4. **AND WHEREAS**, the Departmental Representative appeared on the date fixed for personal hearing but the accused officer neither appeared for personal hearing nor filed additional defense reply. Therefore, in the interest of justice, the accused officer was again afforded opportunity of personal hearing under Section 13(4) of the Act *ibid* and directed vide letter dated 24.02.2023 to appear before the undersigned for personal hearing on **02.03.2023** but despite service of personal

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hearing notices on her residential address and on her email address, she again failed to appear. Hence, keeping in view the willful non-appearance of the accused officer, final Show Cause Notice was got published in daily "Jang" dated 17.03.2023, "Express Tribune" dated 18.03.2023 and "Lokai, Lahore" dated 16.03.2023. Through the said final Show Cause Notice, the accused officer was directed to appear before the undersigned within 14-days from the date of publication of the said notice but she did not appear within the stipulated period of time. It is established from record that the accused officer neither offered any defence nor appeared before the undersigned for personal hearing hence, the charges leveled against her through order of inquiry (*mentioned supra*) stand proved against her.

5. **AND WHEREAS**, after hearing the Departmental Representative, considering the material related to the case available in shape of inquiry report and keeping in view the findings and recommendations of the Inquiry Officer, it has been observed that charges pertaining to proceeding abroad without obtaining NOC and sanction of leave from Competent Authority stood proved against the accused officer. It is further observed that the Inquiry Officer also obtained travel history of the accused officer from Federal Investigation Agency ('FIA'). The report of FIA manifestly depicts that accused officer proceeded abroad on 11.03.2022 and arrived back in Pakistan on 19.03.2022, where-after she again departed abroad on 29.08.2022. Suffice is to observe that this travel history of the accused officer is undisputed. It is also matter of record that the accused officer even did not participate in the inquiry proceedings. Moreover, nothing is available on record to rebut the veracity of charges levelled against the accused officer and no document, justification or NOC has been presented on record through which it could be established that the accused officer proceeded abroad after obtaining NOC and/or ex-Pakistan leave. There is no material available on record through which the charges could be contradicted. The inquiry report has been scrutinized and gauged with proper application of mind and it is observed that charges of misconduct stand proved during inquiry proceedings. After receipt of inquiry report ample opportunities of defense were afforded to the accused officer but she failed to avail the same. Keeping in mind the attending circumstances of the case including the gravity and severity of the proven charges, it is observed that absence from duty is a grave misconduct as defined under Section 2(n)(vii) of the Act *ibid* and entails serious consequences. Due to the absence of the accused officer, *for a period which is more than 8 months without prior approval / sanction of leave by Competent Authority*, special students remained deprived from their basic right of speech therapy. Moreover, the accused officer being a civil servant has proceeded abroad without obtaining NOC from the Competent Authority which further adds to the gravity of charges against her. It is manifestly clear that the conduct and careless attitude of the accused officer toward performance of her official duties shows that she is not interested in performing Govt. job and her further retention in Government service will not serve any useful purpose for the department and special students.

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6. **NOW THEREFORE**, I, **Saima Saeed**, Secretary Special Education / Competent Authority in the instant case, after having considered all the aspects, material relating to the case and recommendations of the Inquiry Officer, *for reasons stated herein above*, am of the considered view that the accused officer had been provided ample opportunities to vindicate her stance but she failed to file additional defense reply and also failed to appear for personal hearing despite service of personal hearing notices and publication of final Show Cause Notice, hence the charges of misconduct levelled against her stands proved and the penalty recommended by the Inquiry officer commensurates with gravity of guilt of the accused officer. Therefore, in exercise of powers vested in me under Section 13(5) read with Section 4 of the Punjab Employees Efficiency, Discipline and Accountability Act, 2006, *while agreeing with the recommendations of the Inquiry Officer*, major penalty of '**Removal from Service**' in terms of Section 4(1)(b)(v) of the Act *ibid* is hereby imposed upon the accused officer / Ms. Bailla Gul, Speech Therapist (BS-17), Govt. Special Education Centre, Khushab.



(SAIMA SAEED)

SECRETARY SPECIAL EDUCATION/
COMPETENT AUTHORITY

Dated Lahore, the
May 31th / 2023

No. & Date Even:

A copy is forwarded for information and necessary action to the:-

1. Accountant General, Punjab, Lahore.
2. Director General Special Education, Punja, Lahore.
3. District Education Officer (Special Education), Sargodha to ensure delivery of this order to the accused officer through all means at all available addresses under intimation to this department.
4. Statistical Officer, Directorate General of Special Education, Punjab, Lahore.
5. Headmaster/Headmistress, Govt. Special Education Centre, Khushab to ensure delivery of this order to the accused officer through all means at her residential address under intimation to this department.
6. Accused officer concerned / **Ms. Bailla Gul**, Speech Therapist (BS-17), Govt. Special Education Centre, Khushab Resident of House No.14, Block No.29, Heavy Factory Area, Jauharabad District Khushab.
7. PS to Secretary Special Education Department.


SECTION OFFICER (ESTT.)